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August 25, 2023

Honorable Martin Glenn
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Courtroom 523
New York, NY 10004-1408

Re: *In re Wythe Berry Fee Owner LLC, No. 22-11340 (MG)*
Wythe Berry Fee Owner LLC v. Wythe Berry LLC et al., Adv. Proc. No. 23-01012 (MG)

Dear Chief Judge Glenn:

We represent Mr. Yoel Goldman in connection with the above-referenced chapter 11 proceedings of Wythe Berry Fee Owner LLC, and in the above-referenced adversary proceeding. On August 23, 2023, we wrote to provide an update in response to the Court's request during the August 8, 2023 status conference to be informed of further developments in the American Arbitration Association ("AAA") proceeding between Mr. Goldman and Mr. Zelig Weiss. We now write to provide an additional update on the AAA proceeding.

Attached as Exhibit A hereto is a copy of a panel order issued yesterday in the AAA proceeding, which states that Mr. Weiss must immediately provide "full and equal access to the Subject Books and Records in connection with any Proposed Transaction," as those terms are defined therein and subject to the "Production Protocol" defined therein. See Procedural Order No. 2 – Claimant's Request for Interim Relief, at 5, 8, AAA Case #01-23-0001-2090 (Aug. 24, 2023) ("**PO No. 2**"). PO No. 2 further provides that Mr. Weiss "shall continue to be enjoined [from engaging in a Proposed Transaction] pursuant to and set forth in paragraph 3 of the PO No. 1 until forty-five (45) days after such time as [Mr. Goldman] is provided with all of the Subject Books and Records as either acknowledged by [Mr. Goldman] or by order of the Panel after the Produced Protocol]" *Id.* at 8.

Respectfully submitted,

/s/ Elliot Moskowitz
Elliot Moskowitz

Via ECF